

IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.17375 of 2008
RAJESH YADAV
Versus

THE STATE OF BIHAR
- - - -

3. 31.7.2008 Heard.

The petitioner is the husband of the deceased. The case is under Section 304B of the Indian Penal Code. Some of the admitted facts could be that the informant and his two nephews were at the place of occurrence just after the occurrence had taken place but instead of going to the police Station for lodging a report the informant left his two nephews there and himself came back to his house. No step was taken either by the informant or his nephews to prevent the dead body from being cremated or the matter to be reported to the police.

The contention is that, in fact, the lady killed herself by setting herself on fire and after due deliberations and for reasons best known to the informant, the case was initiated a day after the occurrence. The further contention is that the family members of the informant participated in the

cremation of the dead body and they falsely implicated the petitioner and his family members. The next contention is that the father of the petitioner has been admitted to bail by a Bench of this Court in Cr. Misc. No. 36823 of 2007.

Regard being had to the above facts and circumstances and the facts which do not appear denied, let the above named petitioner be directed to be released from custody on his furnishing a bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-divisional Judicial Magistrate, Sherghatty at Gaya, in Gurua P.S. Case No. 50 of 2006.

Kanth

(Dharnidhar Jha, J.)

